

## NO "UNWRITTEN LAW" IN THE THAW CASE

Juror B. B. Gerstman Says Harry Thaw Waited Too Long to Avenge Wrong.

### WHITE "GOOD" TO EVELYN

Would Have Acquitted Prisoner if He Had Acted as Soon as He Heard Wife's Story.



"The more I have studied and thought over the evidence and the features of the Thaw case, the more convinced I am that we were right in not acquitting the man who killed Stanford White."

This is what Mr. Bernard B. Gerstman, the youngest member of the famous Thaw jury, said to a Times-Dispatch writer on yesterday at Murphy's Hotel, where he spent the day breaking his journey on his way North.

Mr. Gerstman was not inclined to discuss the Gerstman-Madison Square Garden tragedy, for he held with evident weariness that in the South the people were not in sympathy with the jury's findings. He added:

"Almost everywhere I have been in the South I have found that the 'unwritten law' has a strong hold on the people who think that Harry Thaw should have been acquitted. I attribute this state of affairs to the reports printed in the yellow journals throughout the country, which used only that part of the evidence which was of a sensational character, and withheld much that was necessary to a complete understanding of the case. If the people of the South could have heard and seen what we members of the jury heard and saw, they would understand the true conditions which surrounded the trial."

Anxious to Acquit.

"The fact is, all of the jury were more than anxious to acquit the prisoner, but we could not; and I can sum it up by giving two reasons. First, it was not proven that Stanford White pursued Evelyn Nesbit Thaw after she was married, and second, Harry Thaw waited three years to avenge the wrongs of Evelyn. There was no 'unwritten law' in the Thaw case, and Harry waited too long. Had he come straight to America as soon as his wife told him the story of her wrongs in Paris, and had he then killed Stanford White, I believe the jury would have acquitted him. But he did not act at once; he waited; that was fatal."

Praises Jerome.

In speaking of the loving murder trial, he said the circumstances surrounding it were very different from the Thaw case, and that he could not understand why Mr. Jerome, district attorney for New York City, should have sent advice to Judge Parkersdale without being asked to do so. For Mr. Jerome, he asserted, was eminently a fair-minded man, who attended strictly to his own business, and "who had given Harry a fair trial."

His next remark was something of a "Hibernianism," for having said the district attorney attended strictly to his own business, he added: "Jerome is more like Roosevelt than any man I have ever seen."

Mr. Gerstman spoke in terms of praise of Stanford White, who, he said, had "been good" to both Evelyn and her mother. A fact which seemed to have impressed him greatly was the statement made by Evelyn Thaw on the stand that Stanford White was a "grand man," and that he had always been kind and generous to her. This seemed to comfort him of sins.

White's Generosity.

Along this line he said: "Stanford White was not on trial, but it developed that he was a great man, who, while he led two distinct lives, was always generous and kind to all with whom he came in contact. This was especially true of his treatment of Evelyn and her mother and of the other girls who figured in the trial."

This phase of the case, which had never been considered in this section, appeared to appeal very strongly to Mr. Gerstman, who dwelt on it again and again. Continuing, he said:

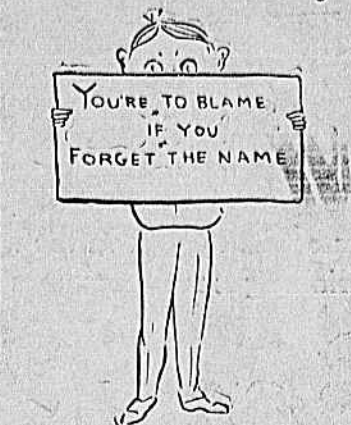
"You can't imagine how many letters we jurymen received from all parts of the country. I think I remember only 'Gerstman New York,' commending me for the position I took, while other jurors who favored an acquittal received just as many commending them."

Has Not Changed.

"I can only say that I have tried in every way possible since the trial to discover the truth about the killing of White, and I am more convinced now than I was at the end of the trial that Harry Thaw should not have been acquitted. I have not been able to find out anything which would cause me to change my mind."

Regarding the new trial of Harry Thaw, which will take place in New York during October, Mr. Gerstman said that every one conceded that there would be the utmost difficulty in securing a jury, for not only in New York City, but all over the country, the case has been discussed in detail. He thinks that a jury will be selected from residents of New York City, who, while they have discussed the killing and have read the newspaper accounts of the testimony brought out during the first trial, will be able to swear to

## Wise Talks by "The Office Boy"



You hear a lot these days about the "P. O. E." or "Elks," or about a "jolly-looking fellow" who was in the store yesterday, and one of our salesmen asked him the question, "What is an Elk?" "An Elk," he replied, "is a dispensation of Providence, to help a fellow forget he is only a man."

Thus spoke Admiral Baron Gombel Yamamoto, Japanese Minister of Marine, during the Japanese-Russian War, as a greeting to the American people to-day on his arrival here with his suite on board the Cunard steamship Germania. Admiral Yamamoto has been inspecting the gunboats and shipyards of Europe, and while here he will visit our navy-yards and ship-building plants. He was met at quarantine by Lieutenant R. W. Henderson, representing Rear-Admiral Goodrich, commander of the New York navy-yard.

Admiral Yamamoto made the occasion of his arrival an opportunity to deny the reports from Tokio that the leadership of the progressive party would fall upon him on his return home, and that efforts would be made to overthrow the Sano ministry. He declined to express an opinion on the intention of the United States to send a large fleet of war vessels from the Atlantic to the Pacific Coast. The admiral will take luncheon with President Roosevelt on Friday at Oyster Bay.

Silent on Fleet Movements.

When asked what he thought of the intention of the United States government to send practically all of our battleships to the Pacific coast, Admiral Yamamoto, smiling broadly, said: "I myself, have no bad feeling against the United States, but it is a question for this country to answer and not for us to express an opinion. 'America is a country which has been friendly to us for years; in fact a treaty between this country and Japan was made at the time I was born.'"

It is an old feeling of friendship which I do not think a passing storm can interfere with, but it depends upon the pens of the press to smooth the storm."

Evans Settled War Talk.

Rear-Admiral Evans, after a visit to Admiral Yamamoto, said that he had discussed the rumors of war between the countries with the Japanese admiral.

"We settled the whole question ourselves," said Admiral Evans, "and the first and last shots were fired by the photographers."

"The admiral and I are old friends. He was Secretary of the Navy in Japan when I was there some years ago, and he has visited this country twice before. He thinks as I do that there is nothing at all to this talk about war. Leading men of Japan and the two governments understand each other perfectly in this matter, and the good sense of the governments will prevent any trouble."

At the State Department it is said that the American public is fully advised of the nature of all the exchanges that have taken place, and that there is no correspondence of recent date, and that there are no negotiations in progress here. Word was also given that the Japanese embassy was, moreover, it is positively stated, that the Japanese ambassador is not going to Japan next fall, as was reported in a Japanese newspaper.

Annual Sermon to Missionary Union

Methodist Women of Richmond District Hold Business Sessions To-day.

The annual sermon before the Woman's Foreign Missionary Union of the Richmond District of the Methodist Church, was delivered last night in Union Station Church by Rev. E. T. Daddum, pastor of St. James Church. Mr. Daddum made a powerful and effective missionary address, paying a tribute to the self-sacrificing lives of the missionaries of the field and saying that in the gift of their lives to the cause they were greater than priests or bishops, in that they endured the privations and dangers of the frontier line.

As a closing illustration, Mr. Daddum told of a recent graduate of Vanderbilt University, a son of Rev. Dr. Sparks, of Norfolk, and a young man of great promise of brilliancy, who had graduated with the highest honors, and who might have chosen any profession in this country, but who counted it a privilege to go out to a lonely mission station in China to spend his life among heathen people.

The service was conducted by Rev. R. M. Taylor, pastor of Union Station Church, who was assisted by Rev. Mr. Paylor, of Fairmont, and Rev. Mr. Proctor, of Trinity Church.

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HARPER COLLEGE, HIT BY LIGHTNING, BURNS.

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RAILROAD INDICTED FOR GRANTING SUGAR REBATES.

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## JAPANESE ADMIRAL STROUG FOR PEACE

Yamamoto Ridicules Possibility of War With United States.

### HE AND EVANS SETTLE IT

Brings Warm Greeting to Americans, and Tells of Old Friendship.

NEW YORK, July 10.—"I think the friendly relations of long standing between the United States and Japan should be preserved and the passing storm disappear in the waters of the Pacific Ocean. I firmly believe that this one incident cannot be thrown in the way of the present relations between the two countries, which began at the time of my birth."

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## MOYER ON WITNESS STAND



CHARLES H. MOYER.

## NIQUITOUS LIKE THE NEW HOSTELRY

William Alexander First Prisoner to Enter Its Sacred Portals.

### HONOR THRUST UPON HIM

Seven Others Are Also Given Comfortable Quarters for the Night.

William Alexander has the honor and high distinction of being the first prisoner ever to set foot in the new First Police Station, which was dedicated to the cause of justice Tuesday night by the Mayor, Chief of Police and members of the Board of Police Commissioners. Some men are born great, some achieve greatness, and some have greatness thrust upon them. William had his greatness thrust upon him, for he was so modest and retiring that it required a long, dusty chase on the part of Policeman Jim Gary and another officer to get him and shackle him with fate. William saw the officers coming, and he knew that, willy-nilly, they were going to take him and add some other laurel to his crown. But, being of a retiring disposition, William thrust the honor from him and would have none of it. The officers insisted, and Alexander was finally brought to reason.

At the station house, he was given a fine berth, and when seen last night was resting very comfortably.

William was not the only man who was accorded nice, comfortable quarters in the pleasant home for the incarcerated. Twenty-seven others, some of whom prowled nightly by the banks of the purring Shockoe, and they went out and did things, such as getting drunk and acting suspiciously, all to get into the new station-house. The police got sight of them, and they were taken to the station-house, where they were never a more contented looking set of prisoners than those seen behind the bars last night.

Among the other guests in the new one-night hostelry may be mentioned Irvin Adams, who was charged with stealing twenty-seven bags from the Southern Railway Company; Joseph Johnson, charged with stealing one gold-filled watch, the property of Menel Watson; Landrum Coleman, a suspicious character, who, it is thought, stole a quantity of flour from some one who had more than he, and others of less prominence. The register will probably show more celebrities of the lower walks by this morning.

DOCTORS MISTAKES

Are said often to be buried six feet underground. But many times women call or their family physicians, suffering as they imagine, one from dyspepsia, another from heart disease, another from liver or kidney disease, another from nervous prostration, another with pain here and there, and who might have chosen any profession in this country, but who counted it a privilege to go out to a lonely mission station in China to spend his life among heathen people.

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## PRESIDENT MOYER IGNORANT OF CRIME

(Continued from First Page.)

### denied in detail every material statement

Moyer explained that Orchard accompanied him to Oury because Orchard was going to Silverton and they made the journey together for company. Representative of the United Mine Workers had been robbed by thugs employed by the mine owners, and the witness and Orchard took along short shotguns for protection.

His Gun Not Used.

Moyer swore that his gun was not subsequently used to kill Lytle Gregory, but that Orchard returned it to Moyer after they got back to Denver, and the weapon had never been discharged up to the time Moyer was arrested.

Moyer was under direct examination from shortly after 10 o'clock in the morning until a few minutes before 1 o'clock, and most of this time was taken up with a recital of the witness' connection with the federation of miners.

One Clash by Counsel.

Only one important clash marked the relations of counsel during the day. The defense wanted to prove all the circumstances under which Moyer and his associates were secretly arrested in Denver, denied communication with counsel, and taken to Idaho by special train, but the State opposed it. The court ruled that the circumstances of the transaction were not properly a part of the defense, but Attorneys Darrow and Richardson continued the plea that it was most important, as showing a conspiracy on the mine owners and the Pinkertons, and managed to show that Moyer had been denied permission to communicate with counsel; that Bulkley Wells, of the Mine Owners' Association, was in charge of the arresting and extraditing party; that Wells had charge of the train, and that Wells had the keys of Moyer's handcuffs and twice unlocked them on the journey to Idaho.

The attempt to show that the three prisoners had been illegally taken to the Idaho penitentiary failed under adverse rulings of the court.

Moyer made a self-narrated witness, and at the end of the long day the defense expressed satisfaction over his testimony and the probable impression he made on the jurors.

He will resume the stand at 9:30 o'clock tomorrow morning for his cross-examination.

KING AND QUEEN MEET SUBJECTS

Given Royal Greeting at Dublin by Enthusiastic Crowds.

DUBLIN, July 10.—The first day of the visit to Ireland of King Edward and Queen Alexandra was a great success. The weather was fine, and the city gave the sovereigns a royal reception. Both wore the national neckties and the queen a moss green and mauve toque.

A rumor is current here to-night to the effect that the portion of the State regalia, valued at \$250,000, which was stolen from Dublin Castle recently, and for the return of which the government had offered a reward of \$5,000, was removed by an important official of the Order of St. Patrick's, who has disappeared.

Death of Dr. William E. Pimman.

LYNCHBURG, VA., July 10.—Dr. William E. Pimman, who was paralyzed last Friday evening while at the supper table, died this morning at 6:45 o'clock without having recovered consciousness after being stricken down. Dr. Pimman was born at "Red Banks," Shenandoah county, one of the most prominent families of the Shenandoah Valley lying directly on the Shenandoah River and the Valley Turnpike, on June 24, 1830, and he was therefore sixty-six years of age at the time of his death. He graduated from a medical college in Philadelphia and served through the War Between the States and came to Lynchburg to live in 1870 and he had lived here continuously up to the time of his demise.

Dr. Pimman is survived by his wife, who was Miss Martha V. Dell; two sons and one daughter. The children are Messrs. W. J. and P. P. Pimman, the latter of San Francisco, Cal., and Miss Katie Pimman.

Missionary Round Table.

It is believed that a large number of Baptist women will attend the summer meeting of the Baptist Women's Missionary Circle this afternoon at 5 o'clock at Tabernacle Church. The president, Mrs. A. L. Scales, will conduct a missionary round table, participated in by women of several churches, along the line of work pursued by the boards.

## WALKIMERS

CATERING TO THE PEOPLE

### Nottingham Lace Curtains, \$1

3 1-2 Yards Long,

\$2.00 value, 3 1-2 yards long, Nottingham Lace Curtains, 45 inches wide, five different patterns, here \$1.25	Irish Point Curtains, with plain centre, with rich scroll border; 50 inches wide, 3 1-2 yards long; \$5.00 value, here \$3.50
Leinster lace, 45 inches wide, 3 1-2 yards long, ten different styles \$2.00	Irish Point Curtains, with covered or plain centres, with handsome borders, 50 inches wide, 3 1-2 yards long; \$6.50 value, here \$4.00
Novelty Net Curtains, beautiful quality, 3 1-2 yards long, with Battening insertion and ruffle; \$3.50 value, here \$2.50	

## VACATION TIME AT THE CAPITOL FIGHT OVER FLAG IS NOT YET ENDED

Officials and Clerks Arranging Plans for Annual Outings. Fight to Secure Adoption of the Mayor's Design Not to Be Abandoned.

### GOVERNOR TO CHATHAM ADVOCATES EXPECT SUCCESS

Will Spend a While Later On at His Country Home—Capital Notes. Captain McCarthy Declares Position of Mr. Turpin Is Anomalous.

Vacation time has about arrived at the Capitol, and many of the officials and clerks are laying plans for their annual outing.

Governor Swanson expects to spend a short while at his country home near Chatham, some time during the summer, but he has not definitely determined when he will go. Attorney General Anderson is crowded with work incident to Corporation Commission matters and the routine business of his department, but he expects to steal away for a while later on. Assistant Attorney General Robert Catlett is now in Charlotte county recuperating from his recent illness, and later he expects to go to his home in Lexington for a brief stay. While in the Senate, Mr. Catlett is likely to pay some attention to his fight in the Twenty-second District, which is composed of the counties of Bedford and Rockbridge and the city of Buena Vista.

Senator Campbell Out.

Senator J. Lawrence Campbell, the incumbent, is not running again, but Bedford has a candidate in Attorney Eubank of Bedford City.

Colonel Catlett once represented Charlotte county in the Legislature. It is the custom of lawyers and judges to take their vacations in August, as that is regarded as slack time in the Virginia courts, and as a rule the Bar Association meets along about that time. It is expected, therefore, that the Supreme Court judges and members of the State Corporation Commission will be absent during the next month. The Bar Association meets this year on July 30th, 31st and August 1st, and so far as is known, they will all attend.

Commission Named.

Governor Swanson yesterday reappointed Hon. R. R. Barton, of Winchester; Judge A. A. Phlegar, of Montgomery, and Hon. Jno. Garland Pollard, of this city, on the commission for the promotion of the uniformity of legislation in the several States of the Union. These gentlemen were the original appointees under the act creating the commission, and have been continued from that time. The commission is a most important one, and a large number of the States have similar bodies, which co-operate with one another.

Negro's Head Broke Horse

Jonah Winston Put Sudden Stop to Merry-Go-Round Last Night.

"Wat dat I hit den?"

This was the exclamation of Jonah Winston, as he picked himself up off the ground at Magnolia Park, the new colored pleasure resort, early last night. Jonah had been hanging around the merry-go-round, and not thinking, got too near the device while it was in operation. Sticking his head too far out, trying to see who would catch the brass ring, it came in contact with one of the wooden horses. The important accident happened off and on, and stopped the whole piece of machinery for the time being. The halt was so sudden that those mounted on horses tumbled forward. The man was knocked to the ground, but quickly got up. He was not at all injured except for a scratch on his head.

The colored people from all parts of the city flocked to Magnolia Park yesterday in great numbers. The colored hotel waiters and cooks will hold a picnic there all day next Sunday.

Hardware Dealers Meet.

Association of the Carolinas Want New Regulations to Limit.

CHARLOTTE, N. C., July 10.—The Retail Hardware Association of the Carolinas assembled in annual session here to-day with President T. O. Flowers, of Rock Hill, S. C., in the chair. The membership numbers 200, which is well represented. The most important feature of the session was the adoption of a resolution to demand legislation in both States requiring manufacturers to furnish a formula of the point in the containing vessel.

The sessions will come to an end to-morrow night with the election of officers. The delegates participated in a trap-shooting tournament for handsome prizes this afternoon, and the social features embraced a trolley ride and a reception at the Southern Manufacturers' Club.

Football Money-Maker FOR YALE ASSOCIATION

NEW HAVEN, CONN., July 10.—The financial report of the Yale Financial Union, covering receipts and expenses of the four major sports at Yale—baseball, football, track athletics and boating—shows for the fiscal year ending September 1, 1906, total receipts of \$106,219, and a profit over expenses, counting payment of a boat club mortgage and other payments, is \$18,007. Baseball brought in \$22,406, with expenses of \$13,691; boating \$1,026, with expenses of \$15,193; track athletics, \$2,362, and expenses of \$12,653, and football, \$73,429, with expenses of \$52,592.

NEWTOWN, R. I., July 10.—Both Forts Adams and Greble repelled the attacks of the enemy in the mild warfare which is being conducted by the War Department in Narragansett Bay, and it was the opinion of good military judges to-night that no hostile fleet could get past the forts which protect the communities bordering the bay, or could steal unawares upon the forts themselves and effect a landing or an attack on the garrisons. Early in the day the big guns of Fort Adams, aided by powerful searchlights, succeeded in putting the advancing fleet of the enemy out of action.

THE ARTISTIC STIEFF

Is the Fairest Priced Strictly High-Grade

PIANO In America

This stands to reason, for there's no Piano as good as the STIEFF that's sold by the makers direct to the home, thereby saving the purchaser the big profits of the dealer and the fat commissions of the agent.

Chas. M. Stieff, 205 East Broad Street

L. B. SLAUGHTER, Manager.

WALTHAM WATCHES

The American standard of excellence is best represented by a WALTHAM watch. An eminent Swiss authority said that not one Swiss watch in fifty thousand could compare with a WALTHAM watch. If a dealer tells you otherwise, it is to induce you to pay an excessive profit on a Swiss watch.

A Book about Watches sent on request

WALTHAM WATCH COMPANY WALTHAM, MASS.